

R E M A R K S

Careful review and examination of the subject application are noted and appreciated.

INFORMATION DISCLOSURE STATEMENT

The 1449 filed February 17, 2003 is believed to have been considered since the Examiner signed and dated the 1449. However, the Examiner failed to initial the left hand column next to the reference. This is believed to be an oversight and the reference is believed to have been considered. If this interpretation is not correct, further explanation is requested.

CLAIM REJECTIONS UNDER 35 U.S.C. §102

The rejection of claims 1-12 and 14-20 under 35 U.S.C. §102 as being anticipated by Gotz et al. (German Patent No. 19946200A1) is respectfully traversed and should be withdrawn.

Gotz discloses a circuit with a PFD and a VCO (FIG. 1 of Gotz).

In contrast, claims 1, 15 and 16 provide a first mode that selects a reference frequency as an input frequency wherein a first mode and a divided frequency of the input frequency when in a second mode. Either the first mode or the second mode is selected in response to a multi-bit lock signal. The divided frequency is adjustable in response to the multi-bit lock signal.

Gotz does not appear to disclose or suggest such an adjustable divided frequency in response to a multi-bit lock signal.

In particular, FIG. 1 of Gotz at best discloses selecting the first input of the multiplexer or the second input of the multiplexer as a reference frequency presented to the PFD. The first input is shown moving through the /5 divider block, which provides a fixed division of the signal. The /5 divider block of Gotz does not appear to have any inputs for making adjustments. Therefore, Gotz does not disclose or suggest a divided frequency that is adjustable in response to the multi-bit lock signal, as presently claimed. As such, the present invention is fully patentable over the cited reference and the rejection should be withdrawn.

Furthermore, claim 14 provides that the second and third dividers comprise multi-channel dividers configured in response to the lock signal. Despite the contention in the Office Action, multi-channel dividers are not inherent in Gotz. Applicant's representative traverses the Examiner's suggestion that all dividers are inherently multi-channel dividers. Inherency requires certainty of results, not mere possibility. See, e.g., *Ethyl Molded Products Co. v. Betts Package, Inc.*, 9 U.S.P.Q. 2d 1001 (E.D.Ky 1988). As such, claim 14 is independently patentable over Gotz and the rejection should be withdrawn.

Claim 21 provides a lock circuit that may be configured to generate a lock signal in response to an external input. A PLL may also be configured to select a reference frequency as (i) the input frequency when in a first mode and (ii) a divided frequency of the input frequency when in a second mode, where either the first or second mode is selected in response to the lock signal. Gotz does not disclose or suggest such a lock signal generated in response to an external input, as presently claimed.

In particular, the inputs TW and TWR of Gotz are not external inputs, but rather divider valves (see ¶38 of Gotz). The inputs TW and TWR do not appear to control the selection of a first mode or a second mode, as presently claimed. Furthermore, the output of the control logic of Gotz (the so-called lock signal) is presented to the MUX1 and MUX2. However, the control logic of Gotz only responds to an internal signal received (indirectly) from the phase detector through the block marked "US". Therefore, Gotz does not respond to an external signal, as presently claimed. As such, Gotz does not disclose or suggest each and every element of the presently claimed invention and the rejection should be withdrawn.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

The rejection of claim 13 under 35 U.S.C. §103 as being unpatentable over Gotz is respectfully traversed and should be

withdrawn. Claim 13 indirectly depends from claim 1, which is now believed to be allowable.

The rejection of claims 5, 7 and 8 under 35 U.S.C. §103 as being unpatentable over Gotz, in view of Lada, is respectfully traversed and should be withdrawn. Claims 5, 7 and 8 depend from claim 1, which is now believed to be allowable.

As such, the presently claimed invention is fully patentable over the cited references and the rejection should be allowable.

Accordingly, the present application is in condition for allowance. Early and favorable action by the Examiner is respectfully solicited.

The Examiner is respectfully invited to call the Applicants' representative should it be deemed beneficial to further advance prosecution of the application.

If any additional fees are due, please charge our office Account No. 50-0541.

Respectfully submitted,
CHRISTOPHER P. MAIORANA, P.C.
FAX RECEIVED
JUL 02 2003
TECHNOLOGY CENTER 2800
Christopher P. Maiorana
Registration No. 42,829
24025 Greater Mack, Suite 200
St. Clair Shores, MI 48080
(586) 498-0670

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